FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 1. Defendant has a lengthy criminal history which includes probation violations, failures to appear for hearings and bench warrant activity. He is currently on federal supervision for Bank Fraud, and is facing allegations of violation of supervised release based on the instant charge. He has been detained pending a supervised release revocation hearing on that matter, CR03-278.
 - 2. Defendant does not contest detention.
- 3. Defendant poses a risk of non appearance based on a history of failing to appear, pending allegations of violation of supervised release, and a history of failing to comply with court orders. He poses a risk of danger due to criminal history, the nature of the instant offense, allegations of violation in connection with the instant offense, and a history of failing to comply with court orders/probation.
- 4. There does not appear to be any condition or combination of conditions that will reasonably assure the defendant's appearance at future Court hearings while addressing the danger to other persons or the community.

It is therefore ORDERED:

01

02

03

05

06

07

08

09

11

12

13

15

17

18

19

20

21

22

- (1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

DETENTION ORDER 18 U.S.C. § 3142(i) PAGE 2 15.13 Rev. 1/91

Case 2:07-cr-00395-JLR Document 10 Filed 11/30/07 Page 3 of 3

(3)	On order of a court of the United States or on request of an attorney for the
	Government, the person in charge of the corrections facility in which defendant is
	confined shall deliver the defendant to a United States Marshal for the purpose of
	an appearance in connection with a court proceeding; and

(4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 30th day of November, 2007.

Mary Alice Theiler

United States Magistrate Judge

DETENTION ORDER 18 U.S.C. § 3142(i) PAGE 3